

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR 1997-010394

05/18/2016

HONORABLE CHRISTOPHER COURY

CLERK OF THE COURT
S. Bhakta/N. McKinney
Deputy

STATE OF ARIZONA

SCOTT WAYNE BLAKE
JOSEPH WILLIAM WATERS

v.

STEVE NOLTE (A)

TYRONE MITCHELL

VICTIM WITNESS DIV-AG-CCC

TRIAL MINUTE ENTRY
DAY 5

Courtroom CCB-803

State's Attorney:	Scott Blake and Joseph Waters
Defendant's Attorney:	Tyrone Mitchell
Defendant:	Present

Court Reporter, Robin Bobbie, is present.

A record of the proceedings is also made digitally.

1:29 p.m. Trial to jury continues from May 16, 2016.

The jury is not present.

Discussion is held.

1:39 p.m. The jury is present.

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Robin Rodriguez is sworn and testifies.

State's Exhibit 14 is received into evidence.

State's Exhibit 15 is received into evidence.

The witness continues to testify.

The Court receives a written question from the jury. Court and counsel discuss the question on the record, out of hearing of the jury. The relevant question is asked and answered by the witness.

FILED: Juror Question (3)

The witness is excused.

Georgia Davis is sworn and testifies.

The witness makes an in-court identification of the Defendant.

State's Exhibit 17 is received into evidence.

Counsel approach the bench and discussion is held on the record out of hearing of the jury.

The witness continues to testify.

The witness is excused.

Teresa Busby is sworn and testifies.

State's Exhibit 16 is received into evidence.

The witness continues to testify.

State's Exhibit 18 is received into evidence.

The witness is excused.

State rests.

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Counsel approach the bench and discussion is held on the record out of hearing of the jury.

2:42 p.m. The jury is reminded of previous admonitions and directed to return on May 23, 2016 at 1:30 p.m. Court remains in session.

Juror 9 is present and addressed by the Court. Juror 9 is designated as an alternate and leaves the courtroom.

Counsel for the Defendant makes a Rule 20 Motion for a directed verdict.

Counsel present argument to the Court.

THE COURT FINDS that there is substantial evidence to warrant a conviction and that this matter should go to the jury for decision; therefore,

IT IS ORDERED denying Defendant's Rule 20 Motion.

Discussion is held regarding scheduling, final jury instructions, and forms of verdict.

Upon request of the Defense counsel,

The Court conducts a colloquy with the Defendant regarding his right to testify in this matter.

THE COURT FINDS that the Defendant has knowingly, intelligently, and voluntarily waived his right to testify on his own behalf.

2:56 p.m. Court stands at recess.